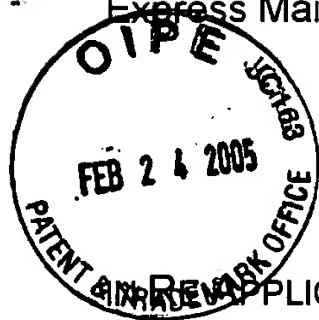


02-28-05

Express Mail Label No. EV 337 196 255 US

Attorney Docket No. 54099-8003.US01

AP\$
[Signature]

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION OF:

Lau, et al.

APPLICATION No.: 09/772,109

FILED: January 26, 2001

FOR: HIGH LEVEL CYTOKINE PRODUCTION
WITH ENHANCED CELL VIABILITY

EXAMINER: Winkler, U.

ART UNIT: 1648

CONFIRM. No: 8965

Notice of Appeal with Petition to Extend TimeCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals from the decision of the Examiner dated August 24, 2004, rejecting claims 1-3, 5-8, 11, 25, 26, 29, 31-34, 37, 39, 40.

The items checked below are appropriate:

☒ Fee for Notice of Appeal (37 C.F.R. §1.17(b))☒ Small Entity: \$250.00

☒ Petition for Extension of Time. Applicant hereby petitions for a 3-Month Extension of Time, to extend the period for response to February 24, 2005.

Extension Fee (37 C.F.R. §1.17(a)(1)-(a)(5)):☒ Small Entity:☐ \$60.00 ☐ \$225.00 ☒ \$510.00 ☐ \$795.00 ☐ \$1,080.00☒ Conditional Petition for Extension of Time

Applicant petitions for an Extension of Time if necessary for timely filing of this Notice of Appeal.

☒ Fee Payment

☒ Check enclosed for \$760.00 covering the Notice of Appeal Fee (\$250) and the Extension of Time Fee (\$510).

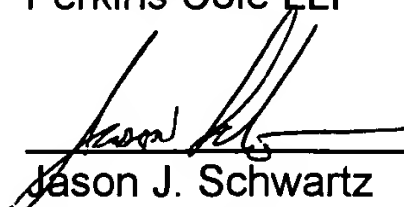
03/03/2005 HALI11 00000046 09772109

01 FC:2401
02 FC:2253250.00 OP
510.00 OP

☒ Please charge any underpayment for timely filing of this paper to Deposit Account No. 50-2207.

Respectfully submitted,
Perkins Coie LLP

Date: FEB. 24, 2005



Jason J. Schwartz
Registration No. 43,910

Correspondence Address:

Customer No. 22918
Perkins Coie LLP
P.O. Box 2168
Menlo Park, California 94026
(650) 838-4300